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REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1 and 6 are rejected under 35 U.S.C. 102(b) over the patent to Schwartz.

Claims 3-5 are rejected under 35 U.S.C. 103(a) over the patent to Schwartz in view of the applicant's admission of prior art.

Also, the drawings are objected to, the specification is objected to, and claim 4 is objected as well.

At the same time the Examiner indicated that claim 2 contained an allowable subject matter.

In connection with the Examiner's formal objections and rejections, applicant's have submitted herewith a copy of the drawings with the proposed changes. It is believed that the Examiner's grounds for the objection to the drawings should be considered as no longer tenable and should be withdrawn. The specification and the claims have been also

amended as suggested by the Examiner. It is believed that the grounds to the objection to the claims should be considered as not tenable as well.

The Examiner's indication of the allowability of claim 2 has been gratefully acknowledged. In connection with this indication claim 2 has been canceled and a new claim 7 has been submitted which combines the features of the original claims 1 and 2. It is believed that claim 7 is now in allowable condition.

Turning now to the Examiner's rejection of the claims over the art, it is submitted that in the claims rejections, 35 U.S.C. 102, the reference Schwarz (US 4,978,895) has been cited. Schwarz discloses an electronic control circuit for brushless direct current motors. An electronic control circuit for brushless direct current motors of the type having a coiled stator and a permanent magnet rotor, comprises an inverter circuit, feeding the stator coils. A rotor-stator relative position circuit 30 and a central controller 70 process current information fed by the inverter 10 on the reference speed and the relative rotor-stator position. Command signals are sent to the inverter 10.

The detecting circuit 30 has low pass filters 1, 2, 3, respectively, connected to terminals  $\Phi_1$ ,  $\Phi_2$ ,  $\Phi_3$  for supplying current to the motor coils. The motor coils, and with the output  $F_1$ ,  $F_2$ ,  $F_3$  of each low pass filter both types of components are being connected to the non-inverting input of a corresponding voltage comparator 59, 60, 61 through a capacitor 56. An inverting input  $M_1$ ,  $M_2$ ,  $M_3$  of each voltage comparator 59, 60, 61 receives the output of an AC corresponding filter through a capacitor 56. This causes a phase delay. The detecting circuit 60 comprises another resistor circuit 55 which connects a point M to each inverting input of the voltage comparators.

The patent to Schwarz does not show a comparison between a voltage of a phase 23 the reference voltage 24 prior to a further operation of said voltage values, a further operation of this voltage values being for example an OR-operation.

It is therefore believed to be clear that the new features of the present invention which are now defined in claim 1 are not disclosed in the patent to Schwarz and also can not be derived from it as a matter of obviousness.

It is therefore believed that claim 1 should be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, they depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of present application is most respectfully requested.

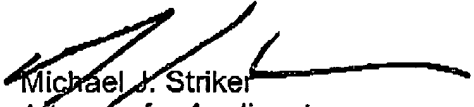
Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Any costs involved should be charged to the deposit account of the undersigned (No. 19-4675). Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

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